

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

E-filing

CV10

5604

ORACLE AMERICA, INC.

Plaintiff

v.

MYRIAD GROUP AG

Defendant

Civil Action No.

HRL

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MYRIAD GROUP AG
1800 South Norfolk Street
Suite 280
San Mateo, CA 94403-1511

FILED

DEC 14 2010

RICHARD W. VIERKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

JEFFREY M. SHOHET, Bar No. 067526
CHRISTOPHER J. BEAL, Bar No. 216579
DLA PIPER LLP (US)
401 B Street, Suite 1700
San Diego, CA 92101-4287

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: DEC 10 2010

CLERK OF COURT

Helen L. Alpacen

Signature of Clerk or Deputy Clerk

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Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) _____
 was received by me on (date) 12-10-2010

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Esmeralda Ramirez, who is
 designated by law to accept service of process on behalf of (name of organization) _____
Myriad Group Mobile Mobile Software Inc on (date) 12,10,2010

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 12-20-2010


 Server's signature

Scott Law
 Printed name and title

657 Mission St. #202 San Francisco, Ca. 94105
 Server's address

Additional information regarding attempted service, etc:

Attorney Or Party Without Attorney (Name and Address)		FOR COURT USE ONLY	
DLA PIPER US LLP 401 B Street, Suite 1700 San Diego, California 92101-4297		(619) 699-2936	
Attorneys for: ORACLE AMERICA, INC.		Ref. No. Or File No. W2569668	
Insert name of court, judicial district and branch court, if any: UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA			
Plaintiff: ORACLE AMERICA, INC. , et al.			
Defendant: MYRIAD GROUP AG, etc., et al.			
Date:		Case Number: CV10 5604 HRL	
PROOF OF SERVICE			

I, **Scott Lane**, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS; COMPLAINT; CORPORATE DISCLOSURE STATEMENT OF PLAINTIFF ORACLE AMERICA, INC.

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : MYRIAD GROUP MOBILE SOFTWARE, INC.

By Serving : ESMERALDA RAMIREZ, Receptionist/Authorized to Accept Service of Process

Address : 455 N. Whisman Rd., Suite 100 , Mountain View, California 94043

Date & Time : Friday, December 10, 2010 @ 1:10 p.m.

Witness fees were : Not applicable.

Person serving:

Scott Lane

Wheels of Justice, Inc.

657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 1126

(3) County: San Francisco

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 10, 2010

Signature: _____

Scott Lane

